

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6175

BILL NUMBER: SB 40

NOTE PREPARED: Nov 22, 2013

BILL AMENDED:

SUBJECT: Nonparty Immunity.

FIRST AUTHOR: Sen. Steele

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: No Fiscal Impact

Summary of Legislation: This bill prohibits a defendant from asserting a nonparty defense, under which a defendant asserts that the damages of the claimant were caused in full or in part by a nonparty, if an Indiana statute grants the nonparty immunity from liability. It also provides that the failure to assert a nonparty defense naming as a nonparty a person granted statutory immunity does not constitute legal malpractice.

Effective Date: July 1, 2014.

Explanation of State Expenditures: A nonparty in a civil action involving either personal or property damage is defined as “a person who caused or contributed to cause the alleged injury, death, or damage to property but who has not been joined in the action as a defendant”. (IC 34-6-2-88)

The parties that are immune from civil immunity include but are not limited to those specified in IC 34-30-2. Included in these entities are governmental entities and employees.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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